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PTO/SB/61 (09-03)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)		Docket Number (Optional) 70790019-1
First Named Inventor: Srivatsa Krishnaswamy	Art Unit: 2142	RECEIVED DEC 09 2003 OFFICE OF PETITIONS
Application Number: 09/049,676		
Filed: March 27, 1998	Examiner: J. Cardone	
Title: MULTI-PROTOCOL COMMUNICATION SUBSYSTEM CONTROLLER		
 MS Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282. The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained. APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION. NOTE: A grantable petition requires the following items: <ul style="list-style-type: none">(1) Petition fee.(2) Reply and/or issue fee.(3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995, and for all design applications; and(4) Adequate showing of the cause of unavoidable delay. 1. Petition fee <div style="margin-left: 40px;"><input type="checkbox"/> Small entity – fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.</div> <div style="margin-left: 40px;"><input type="checkbox"/> Other than small entity – fee \$ _____ (37 CFR 1.17(l)).</div> 2. Reply and/or fee <div style="margin-left: 40px;">A. The reply and/or fee to the above-noted Office action in the form of <u>Response Accompanying Petition to Revive</u> (identify the type of reply): <div style="margin-left: 20px;"><input type="checkbox"/> has been filed previously on _____</div><div style="margin-left: 20px;"><input checked="" type="checkbox"/> is enclosed herewith.</div></div> <div style="margin-left: 40px;">B. The issue fee of \$ _____ <div style="margin-left: 20px;"><input type="checkbox"/> has been paid previously on _____</div><div style="margin-left: 20px;"><input type="checkbox"/> is enclosed herewith.</div></div> <div style="border: 1px solid black; padding: 5px;"><p style="text-align: center;">Petition to Revive Application Unavoidably Abandoned</p><p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV256035332US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.</p><div style="display: flex; justify-content: space-between;"><div>Dated: December 5, 2003</div><div>Signature: (John Pallivathukal)</div></div></div>		

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UNAVOIDABLY UNDER 37 CFR 1.137(a)**


3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

December 5, 2003

Date



Signature

(214) 855-8186

Telephone Number

Michael A. Papalas

Typed or printed name

40,381

Registration Number, if applicable

FULBRIGHT & JAWORSKI L.L.P.
2200 Ross Avenue, Suite 2800
Dallas, Texas 75201-2784

Address

Enclosure

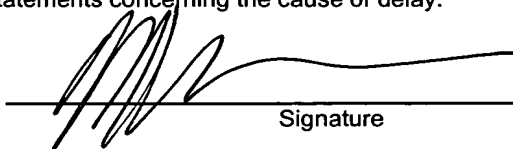
☐ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unavoidable delay☐ _____

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

5 Dec 2003

Date



Signature

40,381

Registration Number, if applicable

Papalas, Michael A.

Typed or printed name

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(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

On March 17, 2003, the above referenced case was issued a Decision on Appeal by the Board of Appeals. In the Decision, the Board affirmed the rejection made by the Examiner for only claims 15-20, effectively reversing the rejection of claims 1-14 and 21-34, rendering these claims allowable. Under M.P.E.P. § 1214.06 section II, the appellant is not required to file a reply. Appellant awaited contact from the Examiner regarding moving the case to allowance, and instead received a Notice of Abandonment dated October 14, 2003. Applicant believes that the Notice of Abandonment was issued in error and requests that this Application be revived. Applicant further believes that no fee is due for this petition. However, if a fee is due, please charge Deposit Account No. 08-2025, under Order No. 70970019-1, from which the undersigned is authorized to draw.